

IN THE UNITED STATES FEDERAL DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

HENRY THOMAS
Defendants.

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CR. NO. 2:06cr294WKW

**APPLICATION FOR PAYMENT OF EXPERT FEES OVER
STATUTORY AMOUNT**

Request is made on behalf of Henry Thomas to pay the expert fees of Dr. Richard Roper, incurred in preparation of the trial of this case which are in excess of the \$ 500.00 statutory guideline limit.

Such request is made upon the application of James R. Cooper, Jr., the panel attorney appointed for Mr. Thomas in all proceedings.

DECLARATION OF COUNSEL

1. My name is James R. Cooper, Jr. I am the panel attorney appointed to represent Mr. Thomas in all proceedings.
2. In the course of preparing for trial in these proceedings, I filed a Motion to Appoint an Expert which was ultimately granted by Judge Wallace Capel.
3. Pursuant to that Order, I hired Dr. Richard Roper to examine hand writing samples taken from Mr. Thomas and the hand writing analysis performed by the government's hand writing expert.
4. Mr. Thomas was accused of signing stolen postal money orders. The handwriting on the money orders in question was examined by the government's expert handwriting expert. Mr. Thomas needed his own expert to review that report and make an independent report.
5. The work of Dr. Roper was vital and crucial to the defense of Mr. Thomas. Without Dr. Roper's work, Mr. Thomas's defense would have been jeopardized.
6. Dr. Roper spent considerable time in reviewing and preparing his findings for Mr.

Thomas. He expended 8.5 hours of time in working on this matter. His final bill is \$ 1700.00.

7. At the time Judge Capel granted the Motion to Appoint an Expert, neither Mr. Cooper, Mr. Thomas or Dr. Roper had any idea how much time would be expended by Dr. Roper in the evaluation of the evidence and review of the government's handwriting expert's report. They had no reasonable notice of how much or little Dr. Roper's bill would be.
8. Dr. Roper's fees are within normal limits for an expert of his caliber, training and experience.
9. Based upon the forgoing, I request authorization to pay Dr. Roper \$ 1700.00 for his expert services, which is above the statutory guideline amount. (A copy of said bill if filed separately along with this Motion with the Clerk)

I declare under penalty of perjury, under the laws of the State of Alabama, that the above is true and correct to the best of my knowledge and belief.

Dated this the 6th day of September, 2007.

RESPECTFULLY SUBMITTED,

s/James R. Cooper, Jr. (COO021)
COOPER & COOPER
Attorney for Defendant
312 Scott Street
Montgomery, AL 36104
(334) 262-4887

CERTIFICATE OF SERVICE

I hereby certify that on this the 13 th day of September, 2007, I have served a copy of the foregoing **Motion to Pay Expert above the Guideline Amount** upon Ms. Susan Redmond , Asst. U.S. Attorney, P.O. Box 197, Montgomery, Alabama 36101 and by electronic case filing, by placing a copy of same in the United States Mail properly addressed and postage prepaid.

s/James R. Cooper, Jr. (COO021)

Enclosure: Copy of Roper Invoice filed to Clerk's office

INVOICE

RICHARD A. ROPER, PH.D
7956 VAUGHN ROAD, #141
MONTGOMERY, ALABAMA 36116

August 6, 2007

JAMES R. COOPER, ATTORNEY AT LAW
COOPER & COOPER ATTORNEYS
312 SCOTT STREET
MONTGOMERY, AL 36104

INVOICE No.: 07-806

RE: HANDWRITING EXAMINATIONS - HENRY THOMAS

Date	Description	Hours	Rate/hr	Amount
07-23-2007	Receipt and initial review of documents and USPS Lab report	2.0	200.00	
07-27-2007	Examine/ scan original documents at USPS Inspector's office	2.0	200.00	
07-30-2007	Examinations & comparisons	3.0	200.00	
07-31-2007	Examinations & Comparisons continued; verbal report of findings	1.5	200.00	
	TOTAL	8.5	200.00	\$1700.00

All invoices payable upon receipt.